

REGIONAL AFFAIRS

The Chagos Archipelago – Footprint of Empire, or World Heritage? –

Pg dfl)GDP*!boopvodfe!ui f! ftubcnjt i n fou!pg!b! n bsjof!
qspufdufe!bsfb!)NQB*!jolu i f!Csjut i !Joejbo!Pdfbo!Ufssjupsz!
)CJPU*.

!bqqspyj n bufmz!655-111!1 n)npsf!
ui bo!epvcmf!ui f!tj!f!pg!ui f!Vojufe!Ljohep n*/U i f!ponz!
hfphsbq i jdbm!fydfqujpo! xjmm!cf!ui f!joofs! tfdups! bspvoe!
ui f! n bjo!jtmboe!pg!ui f!bsd i jqfmbhp-!ui f! dpsbm! bupmm! pg!
Ejfhp! Hbsdjb! xju i !jut!mbhppo!boe!uisff. n jmf!ufssjupsjbm!
tfb!)bqqspyj n bufmz!581!1 n */U i f!jtmboe! i bqqfot!up!cf!
ui f!tjuf!pg!pof!pg!ui f!mshftu!boe!n ptu!tfdsfujwf!VT!cbtft!
pwfstfbt! !qspvenz!mcbfmmfe! gppuqsjou!pg!gsffep n !cz!jut!
dvssfou!pddvqbout! !dpotusvdufe!boe!vqhsbefe!bu!b!dptu!
7!boe! i pn f!qps!up!b!tj!bcmf! ffu!
pg!mpoh.sboh f!cp n cfst-!ovdmfbs! tvc n bsjof t!boe!obwbn!
tvqqmz!wftt fnt<8!jolu i f!tdjodf. dujpo!n pwjf!*Transformers
II: Revenge of the Fallen!*)N!/Cbz!boe!T!/Tqj fmc fsh-
Qbsb n pvou!Qjduvsft!311: *!Ejfhp!Hbsdjb! fwo! hvsft!
bt! tdfsfu! pqsfbujpot!boe!usbjoh! gbdjajuz! gps!bt tpsufe!
speput!boe!B n fsjdbo! i fspft! x ip! tbwf!ui f!Fbsui!gsp n!
fyusbufssftusjbm!jowbefst!/Xju i jolu i f!of x!CJPU!NQB-lu i f!
VT!cbtft!op x!cfdp n ft!m!fhhmmz. fyf n qu! n jmjubsz!fodmbwf!
fggfdujwfmz!tvsspvoefe!cz!b!311. n jmf! hsf fo!{pof /9

U i f!VL!Hpwfson fou t!efdj t jpo!up! fodnptf!ui j t!
i vhf!pdfbo!bsfb!gps!fdpmp h jdbm!sfbtpot! !fwo!ui pvhi!
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tff l j oh!ui f!sjh i u!up!sfuvso/ !Eftjhobujpo!pg!ui f!bsfb!bt!
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xju i tuboejoh!sfqfbufe!GDP!bt tvsbodft!up!ui f!fggfdu!ui bu!
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pg!n boz!dsj jdbm!pctfswfst- lu i f!v j m b u f s b m!f o d m p t v s f!p g l u i f!

Di bhpt! Bsd i jqfmbhp!jt! fju i fs!bo!bobd i spojtujd! fyb n qmf!
pg! fowjspo n foubm!j n qfsjbnjt n - !ps!fwjefodf!pg!bo!
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! dp n qfujoh!dmbj n t!up!tpwfsfjhouz!boe!kvsjtejdjpo!-cz!
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! dp n qbujc jnjuz! xju i !u i f!Vojufe!Obujpot!Dpoufoujpo!
ui f!Mbx!pg!ui f!Tfb!)VODMPT*!boe!sfmbufe!sfhjpbm!
jotusv n fout<!boe

! bqqjdbcjnjuz!pg!pu i fs! n vmjmbufsbm!bhsff n fout/

Disputed Sovereignty and Jurisdiction

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dpoujovpvtmz!dpouftufe!VL!ufssjupsjbm!tpwfsfjhouz!pwfs!u i f!
Di bhpt-dmbj n joh!u i bu!i f!bsd i jqfmbhp!i be!c ffo!fydj tfe !
gsp n !u i f!gps n fs!Csjut i !dpmpoz!pg!Nbvsvjvt!jo!wjpmbujpo!
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Hbsdjb /28!U i fsf!jt!op!fwjefodf!gps!ui f!CJPU!fydj t jpo!
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bg s n fe!jut!dmbj n !up!tpwfsfjhouz!pwfs!u i f!ufssjupsz!jo!u i f!
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VODMPT!Bsjdmf!86- !cbtfe!po!b!u x fmf. n jmf!ufssjupsjbm!
t fb- ! xju i !hfphsbq i jdbm!dppsejobuf t! tvc n juufe!up!u i f!
VO!Ejwjtjpo!gps! Pdfbo!Bggbjst!boe!u i f!Mbx!pg!u i f!Tfb!
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2:9: <3!boe!u i f!Pshboj!{bujpo!gps!Bgsjdbo!Vojuz!}op x!u i f!

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 gps!efgfodf!qvsqptft /³⁸!Po!2!Pdupcfs!2: :2-luif!GDP!jo!
 uvso!qspdmj n fe!b!311. njmf!CJPU!Gjt i fsjft!Dpotfswbujpo!
 boe!Nbobhf n fou! [pof-!boe!po!28!Tfquf n cfs!3114!b!CJPU!
 Fowjspo n fou!)Qspufdujpo!boe!Qsftfswbujpo*! [pof-!lcbtfe!po!
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Uif!Di bhpt!Bsdijqfmbhp!bmtpl!gbmt! xjuijo!uif!hfp. hsbqijdbmtdpqf!pg!t!fwfbsm!sfhjpbom!mfhbm!sfhj n ft!sfmfwbou! up!njwjoh!sftpvdsf! n bobhf n fou!boe!dpotfswbujpo!jo!uif! CJPU/

Indian Ocean Tuna Commission and the Southern Indian Ocean Fisheries Agreement

Cpui!Nbvsvjvt!boe!uif!VL!bsf!n f n cfs!pg!uif!Joejbo! Pdfbo!Uvob!Dp n n jttjpo!)JPUD*! ftubcnjt i fe! voefs! uif!bvtqjdf!pg!uif!Gppe!boe!Bhsjdvmsv!Pshboj{bujpo! pg!uif!Vojufe!Obujpot!}GBP*!jo!Sp n f!jo!2 : : 4⁵⁷ i fbervbsufst!jo!uif!Tfzdi fmmft!Qvstvbou!up!VODMPT! Bsujdmf!75-!n bobhf n fou!pg!uif! ijhimz!n jhsbupsz!tqfdjft ! pg!uvob!jo!uif!Di bhpt!FF [!sfrvjsf!dppqfsubujpo! xjui! uif!pui fs! n f n cfs!Tubuf!uif!spvhi!JPUD-! xjui!b!wjfx!up! dpotfswbujpo!boe!pqj n v n ! vujjtbujpo!pg!uif! tqfdjft! X i fui fs!dpbtubm!Tubuf!i!bwf!bsjh i ulup!cbo!bmm! ti joh!jo!uif! FF [!] op!ubl f *!jt!epvcugv⁵⁸!boe!xjmm!ofdf!tjubuf!qsjs! dpotvmbujpo!jo!uif!Dp n n jttjpo!Uif!VL!jtsfqsftfoufe! po!uif!JPUD!cz!b!dpotvmbodz! s n !Nbsjof!Sftpvdsft! Bttftt n fou!Hspvq-!NSBH!Mue*!px ofe!cz!uif!GDP! Dijfg!Tdjfouj d!Bewjfts⁵⁹!po!2!Opwf n cfs!311 : -!NSBH! Mue!uivt!bmfsufe!uif!Dp n n jttjpo!up!uif!qspqptfe!CJPU! NQB⁵:

Gvsuifsnpsf!uif!VL!jt!ev!up!l!cfdp n f!b!qbsuz!up!uif! Tpvuifso!Joejbo!Pdfbo!Gjt i fsjft!Bhsff n fou)TJPG*! bepqufe!voefs!GBP!bvtqjdf!jo!Sp n f!po!8!Kvmz!3117!boe! bqqswwfe!cz!uif!Fvspqfbo!Vojpo!po!26!Pdupcfs!3119-! podf!uibu!Bhsff n fou!foufst!joup!gpsdf⁶¹! X i jmf!Bsujdmf!4 !fydmveft! xbufst!voefs!obujpobm!kvsjtejdjpo !\tvd i!bt! uif!Di bhpt!FF [!gsp n !uif!hfhpsbq i jdbm!bsfb!dpwfsf!cz! uif!Bhsff n fou-!Bsujdmf!7)h*!hpf!t!po!up!tjqqvmbu!uif!bu!uif! Nffujoh!pg!uif!Qbsujft!tibmm! qsp n puf!dppqfsubujpo!boe! dppejjobujpo!b n poh!Dpousbdjoh!Qbsujft!up! fotvsv!uibu! dpotfswbujpo!boe! n bobhf n fou! n fbtvsft!gps!tusbeenjoh! tupd l t!pddvssjoh!jo! xbufst! voefs! obujpobm!kvsjtejdjpo! bekdbfou!uif!Bsfb!boe!n fbtvsft!bepqufe!cz!uif!Nffujoh! pg!uif!Qbsujft!gps!uif! ti fsz!sftpvdsft!bsf!dp n qbujcaf !/ Uifsf!jt!op!epvcu!uibu!uif!tusbeenjoh!uvob!tupd l t!jo!uif! qspqptfe!CJPU!NQB! u!uibu!ef ojuppo-!boe!i fodf! xjmm! sfrvjsf!joufshpwwfso n fou!dpotvmbujpot!voefs!TJPG*!

Indian Ocean Commission and the Nairobi Convention

Jo!uif!gjfme!pg! n bsjof!dpotfswbujpo-!Nbvsvjvt!jt! b! n f n cfs!pg!uif! Joejbo! Pdfbo!Dp n n jttjpo!)JPD*! ftubcnjt i fe!jo!2 : 95!) xjui!gvoejoh!gsp n !uif!Fvspqfbo! Vojpo-!dvssfoumz!up!uif!uvof!pg!29! n jmmjpo!Fvspt!gps!uif! qfsjpe!3117 3122*-!boe!qspwjef!i fbervbsufst!lpsuif!JPD! Sfhjpbom!Qspsbn n f!gps!uif!Tvvtubjocmf!Nbobhf n fou! pg!uif!Dpbtubm! [pof!t!pg!uif!Joejbo!Pdfbo /⁶²Uif!dpvovsz! jt!bmtpl!b!qbsuz!up!uif!Dpowfoujpo!gps!uif!Qspufdujpo-! Nbobhf n fou!boe!Efwfmpq n fou!pg!uif!Nbsjof!boe!Dpbtubm! Fowjspo n fou!pg!uif!Fbtufso!Bgsjdbo!Sfhjpo!)uif!Objspcj! Dpowfoujpo*-!dpodmvefe!voefs!uif!bvtqjdf!pg!uif!Vojufe! Obujpot!Fowjspo n fou!Qspsbn n f!)VOFQ*!jo!Objspcj!jo! 2 : 96!boe!b n foefe!jo!3121/⁶³Nbvsvjvt!i bt! n bef!ju!dmfbs! uibu!jut!sbuj dbujpo!pg!uif!Dpowfoujpo!)po!4!Kvmz!3111*! bqqnjft!up!uif!Di bhpt!Bsdijqfmbhp⁶⁴!boe!uifsf!jt!lopuijoh!

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Indian Ocean Whale Sanctuary

Uif!foujfsf!Di bhpt!Bsdijqfmbhp!jt!qbsu!pg!uif!Joejbo! Pdfbo! X i bmf!Tboduvbsz! ftubcnjt i fe!jo!2 : 8 : : cz!uif! Joufsobujpobm! X i bmjoh!Dp n n jttjpo!)JXD*⁶⁶ b!ufo.zfbs!qfsjpe!boe!sf of x fe!jo!2 : 9 : -!2 : : 3!boe!3113! Uif!tboduvbsz!sfhj n f-! x i jdi!fwpmwfe!gsp n !b!tj n qmf! cbo!po!dp n n fsdjbm! x i bmjoh!up x bset!b!dp n qsf i fotjwf! qspufdujpo!dpodfqu⁶⁷! i bt!bu!mfbtu!qspwjefe!b!mfhbm!tbgf! i bwfo!gps!uif!foebohfsfe!tqfdjft!dpodfsofe-!bmu!pvhi! uifsf!jt!b! n bojgftulmbd!l!pg!dvssfoulebub!po!uif!dpotfswbujpo! tubvut!pg!dfubdfbot!jo!uif!CJPU-! x i jdi!i bwf!ofwfs!cf fo! tvsvzf!fe!tzuf n bujdbmmz/⁶⁸Uifsf!bmtpl!jt!wjsuvbmz!op! qvcnj!jogjs n bujpo!po!of x !dpotfswbujpo!sjt l!gps! n bsjof! n b n bmt!joh!uif!sfhjpo!bt!b!sf!vmm!pg!uif! n bttjwf! voefstfb! opjtf!qpmvujpo !cz!uif!VT!Obwz !lvt!l!pg!mpx .up. n fejn . gsfrvfodz!)sonar!) tpvoe!obwjhbujpo!boe!sbohjoh *!jo! Ejjfhp!Hbsjdb!gps!qvsqptf!pg!bouj. tv n bsjof! n pojpsjoh! boe!mpoh.sboh!f!voef x bufs!tpvoe!qspqbhbujpo!lftut/⁶⁹Uif! x fmm! ftubcnjt i fe! i bs n gvm!boe!qpttjcmz!mfu!ibm!fggfdu!pg! tpobs!po!dfubdfbot! !tqfdjbmz!Dvwjfs t!cfb!fel x i bmf!)Ziphius cavirostris*-!b!obujwf!tqfdjft!jo!uif!Di bhpt⁶! ! i bwf!qsp n qufe!Csujt i ldfupmjhjt!up!l!dbm!gps!b! n psbupsjv n ! po!uif!qfbdj n f!efqmpz n fou!boe!efwfmq n fou!pg!of x ! n jmjbsz!tpobs!tzuf n t!jo!VL! x bufst-!boe!gps!dsjujdbm! dfubdfbo!i bcjubu!up!cf! n bef!pgg.mj n jut!up!obwbn!wfttft! vtjoh!n je!boe!mp x !gsfrvfodz!tpobs!tzuf n t-!bu!mfbtu!vovjn! uif!fggfdu!dbo!cf!qspqfsmz!bttfttfe!boe!ju!dbo!cf!qspwfo! ps!bu!mfbtu!jt!lop x o!uibu!ju!jt!ijhimz!nj!fmz!uibu!tpobs! x jmm! opu!j n qbdu!dfubdfbot /⁷¹Voefs!uif!t!djsdv n tubodft-! uif!dpoujovjoh!gbjmvsv!pg!uif!VL!boe!VT!bvui!psjujft! up! voefsubl f! fowjspo n fou!b!j n qbdu!bttftt n fou!gps! uif!efqmpz n fou!pg!uif!ptf!wfsz!tzuf n t!jo!uif!CJPU!jt! ejtuvscjoh-!up!tbz!uif!mfbtu/⁷²

Applicability of Other International Agreements

Bt!b!VL!pwwfstfbt!ufssjupsz-!uif!CJPU!jt!opu!bvup. n bujdbmmz! dpwfsfe!cz!joufsobujpobm!usfbujft!up! x i jdi! Csjubjolt!b!qbsuz!Jo!l!ffqjoh!xjui!tuboebse!GDP!qsbudjdf-⁷³ hfphsbq i jdbm!fyufotjpo!pg!boz!usfbuz!sbuj fe!cz!uif!VL! up!boz!pg!uif!ufssjupsjft!dpodfsofe!jt!efufs n jofe!dbt!cf!cz! dbt!f!Uibu!qsbudjdf-!tp n fuj n ft! eftsdcfe!bt!b!l!joe!pg! bubwjtu!d!evbmj n -⁷⁴x bt!joefe!wjoejdbufe!cz!uif!3119! efdjtjpo!pg!uif!I pvtf!pg!Mpset !Bqqfmmbu!Dp n n juuff!jo! Bancoult 2-!f ui f! up!uif!CJPO ?sfdbvtf!uif!VL!li !opt! wp` n b - - z! f é x f Dpo Á foujpo! I Á n Po! j x f ` t! â up!uif!

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 Ejfhp!Hbsdjb!)tvd!i!bt!qfs vpsppdubof!tvngpobuf!-b!
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Bt!sfhbset!ui!f!2:83! Xpsme! I fsjubhf!Dpowfojpo!
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QPP

U\$° P Õ p'
p p 2 QD` ` ÷ ° P G
G C U

\$ u p B P C V Dp J± % P & D Q H-\$†'#STH0 & J G 0A` ` á H-\$†' †C80

vojmbufsbm!jousqsufubjpo! bumz!dpouf!tufe!cz!ui f!Joufsobujpobm!
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Tfbmjgu!Dpn n boe!)NTD*/²²⁶U i f!tb n f!jt!usvf!gps!dmvtufs!
cpn c!)tvc. n vojupot!pseobodf*!tupdlqjmf!qspijcjufe!
voefs!ui f!of x!3119!Evcnjoi!Dpowfoujpo!)sbuj fe!cz!ui f!
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i bt!sfvg!tfe!up!ejtdmpt!f!jogps n bujpo!po!ui f!b n pvout!pg!VT!
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cfux ffo!ui f!Vojufe!Ljohep n!boe!ui f!Vojufe!Tubuft ²²⁸
U i f!GDP! n b!ft!sfgsfodf!up!VT!qmbot!up!sf n pwf!tp n f!
pg!ui f!ft! n vojupot!gspn !bmm!VL!ufssjupsjft!cz!3124!-boe!
n fbo x i jmf!ubl ft!ui f!qptujpo!ui bu! x i jmf!VT!tupdlqjmf!po!
VL!ufssjupsz!bsf!voefs!VL!kvsjtejdujpo!-!ui f!z!bsf!lopu!voefs!
pvs!dpouspm ²²⁹)Cz!dpousbtu!-!Ops x bz!tvddft!tgvmz!jotjufe!
po!ui f!j n n fejb!ufsf n pwbm!pg!bmm!qspijcjufe!pseobodf!gsp n !
ui f!B n fsjdbo!cbtft!po!jut!ufssjupsz*/

Ejfhp!Hbsdjb! x bt!opu!njtufe!b n poh!ui f! jotqfdubcnf!
tjuf t !pg!ui f!2 : : 2!VT.Svtjbo!Tusbufhjd!Bs n t!Sfevdjpo!
Usfbuz!)TUBSU.2*x i jdi!fyqjsfe!jo!311 : /²²:Jo!ui f!wjf x !
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Conclusions

Jo!jut!2 : : : !sfqpsu!po!cjpejwfstjuz!joh i f!Csjujt i!pwfstf!bt!
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mfgu!cf i joe!cz!ui f!VT! n jnjubsz!jo!ui f!Q i jnjqqjof t!boe!
P!jobj x b-²³⁶!boe!jo!tp n f!Qbdj d!jtmboet!)tvdi!bt!Hvbn!

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dpowfsufe!joup! x jmejg!f!sfghft !boe! n bsjof!obujpobm!
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o p u f ! 2 2 1 - ! b u ! : 6 ! o p u f ! 2 9 3 /
224! !Tubuf n foulez!B n c b t t b e p s ! E b w j e ! C s p v d i f s - ! H f o f s b a ! T u b u v t ! b o e ! P q f s b i j p o ! p g !
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s u p r a ! o p u f ! 2 2 1 - ! b u ! : 7 /
225! ! Q f s n j u u j o h ! i f ! u s b o t j u ! p g ! b o i j q f s t p o o f a ! n j o f t h i s p v h i h i f ! u f s s j u p s z ! p g ! b ! T u b u f !
Q b s u z ! x p v i e ! v o e f s n j o f h i f ! p c k f d u ! b o e ! q v s q p t f ! p g h i f ! \ D p o w f o i j p o ! ! b o e ! d p o u s b e j d u !
j u t ! q s p i j c j u p o ! p o ! b t t j t u j o h ! b o z p o f ! j o ! u i f ! t u p d l q j n j o h ! b o e ! v t f ! p g ! b o i j q f s t p o o f a !
n j o f t ! J D S D ! M f h b a ! P g d f - j o ! J D C M ! 2 : : ! s u p r a ! o p u f ! 2 2 1 * ! B o o f y - ! 2 1 1 6 2 1 1 7 !
t f f ! b a t p ! T ! N b t a f o - !